Motion Denied.

/s/ John R. Adams

U.S. District Judge

December 4, 2023

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO

MAERSK OIL TRADING INC.	)	CASE NO: 5:23CV951
	)	
Plaintiff,	)	
	)	
	)	JUDGE: John R. Adams
V.	)	
	)	
B&G FUTURES INC., et al,	)	
	)	
Defendants.	)	

## PLAINTIFF'S UNOPPOSED MOTION TO EXCUSE REPRESENTATIVE'S PHYSICAL APPEARANCE AT THE CASE MANAGEMENT CONFERENCE

NOW COMES Plaintiff, MAERSK OIL TRADING INC. ("MOT"), by and through undersigned counsel, hereby requesting that the Court excuse the physical appearance of Plaintiff's corporate representative at the case management conference currently scheduled for November 30, 2023, at 2:30 p.m. in Courtroom #575, U.S. Courthouse, 2 South Main Street, Akron.

As grounds for this Motion, Plaintiff respectfully submits that all its corporate representatives with settlement authority are either located outside the state (i.e., New York) or outside the country (Copenhagen, Denmark). To date, and as more fully described below, the third and final co-defendant, Chirag Vyas, has been evading service. As such, counsel for both Plaintiff and Defendant DiPietro believe that any significant proceeding on the merits, creation of a discovery schedule, or settlement discussions should be held in abeyance until such time as Mr. Vyas is served.

As the Court is aware, the parties met pursuant to this Court's scheduling order (*Dkt. 18*) on October 10, 2023, and attached a Planning Meeting Report to their joint motion to continue the originally scheduled case management conference (*Dkt. 19*) as *Exhibit 1*. Despite good-faith